

REMARKS

Appreciation is hereby expressed to the Examiner for the very thorough and professional office action. Pursuant to that office action the specification has been amended and claims 1 and 8 cancelled. In addition, claim 2 has been amended to more definitely set forth the invention and obviate the rejection. Support for the amendment of claim 2 can be found in the specification on page 7, lines 18-20, page 8, lines 6-8, and in the drawings in FIGS. 1a-d. The present amendment is deemed not to introduce new matter. Claims 2-7 remain in the application.

Reconsideration is respectfully requested of the objection to the specification on page 14. The first paragraph on page 14 has been rewritten as suggested by the Examiner and it is therefore believed that the objection is moot. Withdrawal of the objection is accordingly respectfully requested.

Reconsideration is respectfully requested of the rejection of Claims 1, 2, 3, 4, and 8 under 35 U.S.C. 102(b) as being anticipated by Higo, et al.

The Examiner, in the office action, predicates the rejection on the conclusion that: "The addition of a non-polarized component layer provided on the polarized component layer is anticipated by Higo since he shows both kinds of component layers and also shows that his electrode structure consists of layers".

It is respectfully urged that this interpretation of the Higo reference is in error inasmuch as Higo does not disclose an electrode structure consisting of layers of a non-polarized component layer provided on a polarized component layer. In particular, column 3, lines 46-63, of Higo do

not disclose a single electrode comprising a non-polarized component layer and a polarized component layer. On the contrary, Higo discloses only the use of a single electrode comprising a non-polarized component layer or a polarized component layer used as a conductive layer.

FIG. 3 of Higo illustrates this configuration. In FIG. 3, the electrode layer 3 is formed of an electrode layer base 3a (not a conductive layer) and a conductive layer 3b. The electrode layer base 3a of Higo corresponds to "an insulating base" in claim 1 of the present application, and the conductive layer 3b corresponds to "a polarized component layer (first layer)" or "a non-polarized component layer (second layer)". Therefore, it is clear that Higo does not disclose "both kinds of component layers", one upon the other as contended by the Examiner. For these reasons, it is respectfully urged that Higo, et al. neither anticipates nor renders unpatentably obvious the subject matter now called for in claim 2.

This is especially true since claim 2 has been amended to require that "the polarized component layer has a protruding portion, which is used as a connecting terminal with a power supply section, on the same plane as that of the polarized component layer". Moreover, it is respectfully urged that Higo, et al. in no way anticipates the electrode structure as now called for in the claims herein. For these reasons, it is respectfully urged that the Examiner would be justified in no longer maintaining the rejection. Withdrawal of the rejection is accordingly respectfully requested.

Reconsideration is respectfully requested of the rejection of Claims 5, 6 and 7 under 35 U.S.C. 103(a) as being unpatentable over Higo, et al. as applied to claim 2 above.

The deficiencies of Higo, et al. are set forth above.

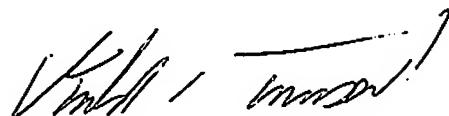
As discussed above, amended claim 2 now requires that “[t]he polarized component layer has a protruding portion, which is used as a connecting terminal with a power supply section, on the same plane as that of the polarized component layer”. The advantage of this feature is that it improves the current flow and takes into consideration productivity and ease of use as described in the specification on page 9, lines 1-3. In addition, it has been confirmed that the efficiency of utilizing silver as the non-polarized component is improved and the amount of energization is increased as described in the specification on page 13, lines 23-25, as well as in FIG. 3 of the present application.

In view of the deficiencies of the Higo reference and the benefits and improved productivity of using the electrode of the present invention, it is respectfully submitted that there is nothing in Higo, et al. which would lead one of ordinary skill in the art to utilize an electrode structure as now called for in the claims herein. For these reasons, it is respectfully submitted that Higo, et al. does not render the claims now in the application unpatentably obvious. Consequently, the Examiner would be justified in no longer maintaining the rejection. Withdrawal of the rejection is accordingly respectfully requested.

In view of the foregoing, it is respectfully submitted that the application is now in condition for allowance, and early action and allowance thereof is accordingly respectfully requested. In the event there is any reason why the application cannot be allowed at the present time, it is respectfully requested that the Examiner contact the undersigned at the number listed below to resolve any problems.

Respectfully submitted

TOWNSEND & BANTA



Donald E. Townsend
Reg. No. 22,069

Customer No. 27955

TOWNSEND & BANTA
c/o FoundationIP
P.O. Box 52050
Minneapolis, MN 55402
(202) 220-3124

Date: January 13, 2009